

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

DONALD ISAAC JOHNSON,

Plaintiff,

v.

STATE OF WASHINGTON,

Defendant.

CASE NO. C15-5483 BHS

ORDER ADOPTING REPORT
AND RECOMMENDATION

This matter comes before the Court on the Report and Recommendation (“R&R”) of the Honorable David W. Christel, United States Magistrate Judge. Dkt. 7. The Court having considered the R&R and the remaining record, and no objections having been filed, does hereby find and order as follows:

- (1) The R&R is **ADOPTED**; and
- (2) Plaintiff’s application to proceed in forma pauperis is **DENIED**, Plaintiff’s complaint is **DISMISSED without prejudice** on the grounds that it is frivolous, malicious, and fails to state a claim upon which relief may be granted. The dismissal shall count as a strike under 28 U.S.C. § 1915(g).

Dated this 4th day November, 2015.



BENJAMIN H. SETTLE
United States District Judge